



UNITED STATES PATENT AND TRADEMARK OFFICE

**R E C E I V E D**  
 JUN 15 2004

IKW

 UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/814,970	03/30/2004	Nicholas Kottenstette	56231-443 (MKS-138)

 McDermott, Will & Emery  
 28 State Street  
 Boston, MA 02109

CONFIRMATION NO. 8649

## FORMALITIES LETTER



\*OC000000012909686\*

Date Mailed: 06/10/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

 Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents

 08/18/2004 HTECKLU1 00000086 501133 10814970 P.O. Box 1450  
 01 FC:1051 130.00 DA Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

DSL

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kottenstette, et al ✓  
Serial No.: 10/814970 ✓  
Filed: March 30, 2004 ✓  
Title: Flow Monitoring System ✓  
Atty. Docket No.: 56231-443 (MKS-138) ✓

**CERTIFICATE OF MAILING (37 C.F.R. 1.8(a))**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the M.S. Missing Parts, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

Date:

8/16/04

Erin M. Olson

M.S. Missing Parts  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Dear Sir:

In response to the Notice to File Missing Parts, dated June 10, 2004, Applicants enclose an original Declaration and Power of Attorney for Patent Application.

The Commissioner is hereby authorized to charge the declaration surcharge fee of \$130, or credit any overpayment, to Deposit Account Number 50-1133.

Respectfully submitted,

Date:

16 August 2004

Brian J. Colandreo, Reg. No.: 42,427  
McDERMOTT WILL & EMERY LLP  
28 State Street  
Boston, Massachusetts 02109  
Telephone: (617) 535-4083  
Facsimile: (617) 535-3800



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kottenstette, et al ✓  
Serial No.: 10/814970 ✓  
Filed: March 30, 2004 ✓  
Title: Flow Monitoring System ✓  
Atty. Docket No.: 56231-443 (MKS-138) ✓

**CERTIFICATE OF MAILING (37 C.F.R. 1.8(a))**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the M.S. Missing Parts, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

Date: 8/16/04

  
Erin M. Olson

M.S. Missing Parts  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Dear Sir:

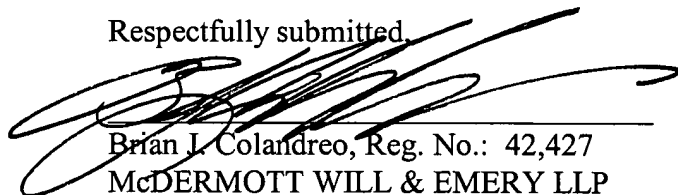
Enclosed herewith for filing in connection with the above-identified patent application are the following:

- 1) Response To Notice to File Missing Parts;
- 2) Copy of Notice to File Missing Parts;
- 3) Executed Declaration and Power of Attorney;
- 4) Petition for a One-Month Extension of Time;
- 5) Acknowledgment Postcard.

The Commissioner is hereby authorized to charge the declaration surcharge fee of \$130, or credit any overpayment, to Deposit Account Number 50-1133.

Date: 16 August 2004

Respectfully submitted,



Brian J. Colandreo, Reg. No.: 42,427  
McDERMOTT WILL & EMERY LLP  
28 State Street  
Boston, Massachusetts 02109  
Telephone: (617) 535-4083  
Facsimile: (617) 535-3800